

BILL NO. Z-73-07-03

ZONING MAP ORDINANCE NO. Z- last

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB16, BB18 to establish a Mobile Home Park Boundary.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby changed to establish a Mobile Home Park boundary, under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB16, BB18, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

35 acres, being Lot One on the plat representing a survey and Subdivision of that part of Richardville Reserve, situated on the West bank of the St. Mary's River, Township 30 North, Range 12 East, Allen County, Indiana (also known as Siemon's Subdivision), as established by the survey map thereof, as appearing in Deed Record 106, pages 140-141 in the Office of the Recorder of Allen County, Indiana, subject to all legal roads and highways, and,

The South 50 acres of Lot No. 5 in Richardville Reserve, West of the St. Mary's River, in Township 30 North, Range 12 East, Allen County, Indiana, as shown in Deed Record Book 52, pages 54-55 in the Recorder's Office of Allen County, Indiana, and

4.79 acres being part of the North half of the South half of the North half West of the Richardville Reserve line of Section 34, Township 30 North, Range 12 East,

All of the above being more particularly described as follows, to wit:


Beginning at the most Southerly corner of Lot No. 1, Siemon's Subdivision of part of Richardville Reserve West of the St. Mary's River in Township 30 North, Range 12 East, Allen County, Indiana; thence North 33° West, 2,053.6 feet along the Southwesterly line of the aforesaid Richardville Reserve; thence South 87° 40 minutes West, 297.0 feet; thence North 33° West 660.0 feet to the Easterly right of way line of the Baer Field

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4 Throughway in said Section, Township and Range;
5 thence North 25° 30 minutes East along said
6 right of way line, 1,252.3 feet; thence South
7 76° East 1,435 feet; thence South 25° West
8 831.4 feet; thence South 33° East 1,323.96 feet;
9 thence South 24° 56 minutes West 1,326.6 feet
10 to the place of beginning, containing 89.79
11 acres of land more or less, subject to all
12 legal roads and highways.

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14 SECTION 2. This Ordinance shall be in full force and
15 effect from and after its passage and approval by the Mayor and
16 legal publication thereof.
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Councilman

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 7/10/73

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

	AYES <u>1</u>	NAYS <u>8</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<u>✓</u>	<u>✓</u>	_____	_____
HINGA	_____	<u>✓</u>	_____	_____
KRAUS	_____	<u>✓</u>	_____	_____
MOSES	<u>✓</u>	_____	_____	_____
NUCKOLS	<u>✓</u>	<u>✓</u>	_____	_____
SCHMIDT, D.	_____	<u>✓</u>	_____	_____
SCHMIDT, V.	_____	<u>✓</u>	_____	_____
STIER	_____	<u>✓</u>	_____	_____
TALARICO	_____	<u>✓</u>	_____	_____

DATE: 3-26-74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, in August, 1973, referred a proposed zoning map amendment to the City Plan Commission for reconsideration of its original recommendation on proposed Bill No. Z-73-07-03; and,

WHEREAS, the City Plan Commission reconsidered this proposed bill at it's February 25, 1974, Executive Meeting; and,

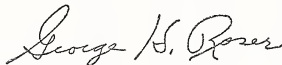
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby reconfirm its original recommendation that such proposed ordinance DO NOT PASS for the following reasons:

1. At the present time access to the site will not adequately handle the increase in traffic volumes.
2. If adequate access corridors were available in the area, the Plan Commission would not object per se to the location of a Mobile Home Park on this site. However, the Commission does feel that the time of this improvement and potential congestion is of such a critical nature that the development of a Mobile Home Park, at this time, would present unacceptable planning, development and neighborhood problems.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 25, 1974.

Certified and signed this
5th day of March, 1974..



George H. Roser
Secretary

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 10, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-07-03; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

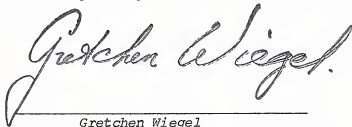
WHEREAS, The City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 23, 1973.

Certified and signed this
25th day of July, 1973.



Gretchen Wiegel
Secretary

Bill No. Z-73-07-03

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. BB16, BB18 to
establish a Mobile Home Park Boundary

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do not PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
Donald J. Schmidt

CONCURRED IN

DATE 3-26-74 CHARLES W. WESTERMAN, CITY CLERK

Back to Plan Comm, for
letter from Peterson

Hold
Aug. 21
Back to Plan Comm
(ask Henry B. Batten)
city Plan.
and Peterson

Bill No. Z-73-07-03

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Council that said Ordinance PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

RECEIPT

N^o 194

GENERAL FUND

FT. WAYNE, IND. APRIL 26, 1973RECEIVED FROM SHOAF, KEEGAN, BAIRD, & SIMON \$ 50.00THE SUM OF Fifty and 00/100 DOLLARSON ACCOUNT OF INDUSTRIAL MANAGEMENT SERVICES, INC.From RB TO A MHPL. E. Stoltz
AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____
Intended Use _____

I/We INDUSTRIAL MANAGEMENT SERVICES, INC.

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RB District to a/an MHP District the property described as follows:

35 acres, being Lot One on the plat representing a survey and Subdivision of that part of Richardville Reserve, situated on the West bank of the St. Mary's River, Township 30 North, Range 12 East, Allen County, Indiana (also known as Siemon's Subdivision), as established by the survey map thereof, as appearing in Deed Record 106, pages 140-141 in the Office of the Recorder of Allen County, Indiana, subject to all legal roads and highways, and,

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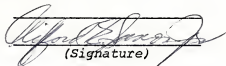
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2400 Ft. Wayne Bank
Building, Fort Wayne,
Indiana 46802

(Name)

(Address)


(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Clifford E. Simon, Jr. 2400 Ft. Wayne Bank Building 219/743-8123
(Name) (Address) (Telephone Number)
Fort Wayne, Indiana 46802
City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____
Intended Use _____

I/We INDUSTRIAL MANAGEMENT SERVICES, INC.

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RB District to a/an MHP District the property described as follows:

(Legal Description)

(General Description for Planning Staff Use Only)

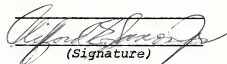
I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Clifford E. Simon, Jr., its Attorney

2400 Fort Wayne Bank
Building, Fort Wayne,
Indiana 46802

(Name)

(Address)


(Signature)

Legal Description Checked By: _____

(City Engineer)

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City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571



CHARLES W. WESTERMAN, Clerk

To John Logan Date 8/8/73
From Charles W. Westerman
Subject G-73-07-10

PIES TO:

The Finance Committee has instructed the Clerk to prepare the above bill as amended through its action as related on the August 7, 1973 Committee Session. It is to be prepared for the Standing Committee on Finance for study on August 14, 1973 Committee Session.

Respectfully yours

Charles W. Westerman
City Clerk of Fort Wayne

COPY



CHARLES W. WESTERMAN, Clerk

To Gary Baeten Date 8/8/73
From Charles W. Westerman
Subject Bill No. Z-73-07-03

COPIES TO:

The Regulations Standing Committee of the Common Council of Fort Wayne is requesting your presence or that of Rich Wanush at the August 21st Committee Session of the Common Council regarding Bill No. Z-73-07-03. This ordinance concerns amending the Fort Wayne Zoning Map No. BB16, BB18 to establish a Mobile Home Park Boundary.

The Regulations Standing Committee would like your presence to explain above ordinance action by the City Plan Commission.

Respectfully yours

Charles W. Westerman
City Clerk of Fort Wayne

COPY



CHARLES W. WESTERMAN, Clerk

To Cliff Simon Date 8/8/73
From Charles W. Westerman
Subject Bill No. Z-73-07-03

COPIES TO:

Dear Mr. Simon:

You are requested, on behalf of the petitioner of Bill No. Z-73-07-03, to be present at the Common Council Committee Session on 8/21/72 to help the Regulations Committee in their examination of the above bill.

Please contact my office and let me know if you can be present. If this is not feasible, perhaps you can send a representative on your behalf of this bill.

Your co-operation will be greatly appreciated.

Respectfully yours

Charles W. Westerman
City Clerk of Fort Wayne

COPY

COMMON COUNCIL SESSION
AUGUST 21, 1973

STANDING COMMITTEES

- BILL NO. S-73-08-01 FINANCE COMMITTEE WILLIAM T. HINGA
AN ORDINANCE approving a contract with International Harvester and Ernst Truck Equipment Co. for 2 Trucks and 2 Dump Bodies.
Recommendation - Out of Committee - DO PASS
- BILL NO. S-73-08-02 FINANCE COMMITTEE WILLIAM T. HINGA
AN ORDINANCE approving an agreement with AMERICAN THREAD COMPANY for fire protection on American Way.
Recommendation - Out of Committee - DO PASS
- BILL NO. S-73-08-03 FINANCE COMMITTEE WILLIAM T. HINGA
AN ORDINANCE approving a certain bid document with ERNST TRUCK EQUIPMENT COMPANY for the purchase of three salt spreaders for the Street Department.
Recommendation - Out of Committee - DO PASS
- BILL NO. S-73-08-29 FINANCE COMMITTEE WILLIAM T. HINGA
AN ORDINANCE approving Change Order No. 1 with Maumee Construction Corp. in connection with Vance Avenue Sidewalk installation Ordinance No. S-52-72.
Recommendation - Out of Committee - DO PASS
- BILL NO. S-73-08-32 FINANCE COMMITTEE WILLIAM T. HINGA
AN ORDINANCE approving Contracts with various Contractors, for the construction of the St. Joseph Interceptor Sewers.
Recommendation - Out of Committee - DO PASS
- BILL NO. S-73-08-33 FINANCE COMMITTEE WILLIAM T. HINGA
AN ORDINANCE approving a contract with WAYNE ASPHALT AND CONSTRUCTION COMPANY for resurfacing twenty (20) streets.
Recommendation - Out of Committee - DO PASS
- BILL NO. S-73-08-34 FINANCE COMMITTEE WILLIAM T. HINGA
AN ORDINANCE approving a contract with JOHN DEHNER, INC. for the paving of Clermont Avenue from Hessen Cassel Road to Wayne Trace.
Recommendation - Out of Committee - DO PASS

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB16, BB18 to establish a Mobile Home Park Boundary.

Recommendation - Said Bill was reviewed by Regulations Committee - the Committee referred Bill No. Z-73-07-03 to be returned to Plan Commission for reconsideration with a letter of recommendation from the petitioner regarding the establishing of the Mobile Home Park Boundary. This letter is to stipulate promised conditions as stated before Common Council, August 21, 1973, by Clifford Simon, Attorney representing the petitioner.

AN ORDINANCE amending Section 8, Article II of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana pertaining to Parking Area Improvement.

Recommendation - Regulations Committee has recommended a Hold - and a clarification from a member of the Board of Works regarding the interpretation of a commonly used phrase referred to in said bill. Council would like a briefing with a member of the Board of Works to be held on Sept. 4, 1973 before said Committee. Notification was fulfilled by City Clerk.

AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation of an alley and two streets.

Recommendation - Out of Committee - DO PASS

AN ORDINANCE amending the General Ordinance G-97 by authorizing the vacation of an alley and two streets.

Recommendation - Out of Committee - DO PASS

AN ORDINANCE amending General Ordinance G-97 by authorizing the vacation of an alley north of Creighton Avenue.

Recommendation - Out of Committee - DO PASS.

AN ORDINANCE amending certain sections of Chapter 31 of the 1946 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. 2726, Adopted December 22, 1953.

Recommendation - Said Committee has instructed the Clerk to notify Mr. Thomas Manny, Traffic Engineer to appear before Common Council in Committee Session, August 28, 1973, regarding said bill. Notification was fulfilled by City Clerk.

BILL NO. S-73-08-30 PUBLIC WORKS COMMITTEE JAMES S. STIER
AN ORDINANCE approving a contract with JUSTUS CONTRACTING COMPANY for construction of a water main on Old Decatur Road.
Recommendation - Out of Committee - DO PASS

BILL NO. S-73-08-31 PUBLIC WORKS COMMITTEE JAMES S. STIER
AN ORDINANCE approving Agreement with KEN NIEMEYER, INC. for construction of the LAKE FOREST ADDITION EXTENDED sewer.
Recommendation - Out of Committee - DO PASS

BILL NO. G-73-07-18 PUBLIC WORKS COMMITTEE JAMES S. STIER
AN ORDINANCE amending the Building Code of the City of Fort Wayne, Indiana, by adding thereto a new Division.
Recommendation - Committee will consider said General Ordinance on Sept. 4, 1973 Committee Session

BILL NO. G-73-08-04 PUBLIC WORKS COMMITTEE JAMES S. STIER
AN ORDINANCE approving itemized estimates of Capital Program Expenditures for the year 1974.
Recommendation - In Committee Session attended by Community Citizens of approximately 175 and the remaining members of Common Council met and discussed said Ordinance. Said Committee Action will come before Common Council recommending a DO PASS (AS AMENDED). There will be the exclusion of paragraph No. 4- Referring to Anthony Blvd. Street Improvement on Exhibit "A" of the Bill presented to the Clerk.

Committee Session - Finance Committee of the whole reviewed the 1974 Budget in entailing Dept. of Board of Public Works with the understanding cooperation of the Honorable Jerry Boswell - Chairman of the Board of Public Works.

Committee Session adjourned - motion was made by John Nuckols and seconded by James Stier at 11:35 P.M., E.S.T.

Minutes prepared by the
Office of the City Clerk
Charles W. Westerman

City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Richard Wanush - City Plan Commission Date 3-15-74
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council - March 19, 1974

COPIES TO:

RE: BILL NO. G-73-10-53

AN ORDINANCE amending Section 17 of the Zoning Ordinance of the City of Fort Wayne, Indiana, by adding a provision for screen fencing for junk yards, refuse dumps, and certain other open land uses.

BILL NO. Z-73-07-03

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB16, BB18 to establish a Mobile Home Park Boundary.

Your presence is requested on March 19, 1974, at 7:30 o'clock P.M., Room 124, by the members of the Common Council and John Nuckols, Chairman of the Standing Committee on Regulations, in regard to the above bills.

It is also requested that you bring along any materials or information that you may have which will help the Council in its decision regarding the above bill.

Charlie

DIGEST SHEET

3-13-07-03

TITLE OF ORDINANCE Zoning Map Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment Ordinance

petition initiated by property owners to rezone property located as follows:

A parcel of ground containing approximately 38 acres, more or less,

generally located between Baer Field Thru Way and Kinnerk Road, , south

of Boggs Avenue.

Establish a "MHP" (Mobile Home Park) Boundary

EFFECT OF PASSAGE Boundary establishment for Mobile Home Park

EFFECT OF NON-PASSAGE Zoning would remain residential

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.) Reginald W. W.